

Plaintiffs' Exhibit 7

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA,)
et al.,)
)
Plaintiffs,) Case No.
) 1:23-cv-
vs.) 000108-LMB-
) JFA
GOOGLE LLC,)
)
Defendant.)

Wednesday, September 6, 2023
9:59 a.m.

Remote Zoom Videotaped Deposition of
KRISTY KOZLOWSKI, held before Stacey L.
Daywalt, a Court Reporter and Notary Public of
the District of Columbia.

Job No. CS6078882

1 Q. And you understand that you are
2 testifying pursuant to a subpoena issued by
3 Google in this case. Correct?

4 A. Yes.

5 Q. And did you review any documents in
6 preparation for your deposition today?

7 A. I've reviewed documents with counsel
8 related to the topics at hand, the one that is
9 up in the exhibit share right now, as well as
10 the subpoena and details around the subpoena.

11 Q. Any other documents that you
12 reviewed in preparation for your testimony
13 today?

14 A. Nothing that we reviewed
15 necessarily.

16 There were documents that we've
17 provided along the way, but did not review them
18 again.

19 Q. Okay. Why don't you describe your
20 role at Comcast for me.

21 A. I'm the senior vice president of
22 media, strategy and planning. What that
23 entails or encompasses from a responsibility
24 standpoint is sort of twofold.

25 I think the first thing to kind of

1 share is that our organization is a little
2 decentralized in that we do have media teams
3 that sit across both headquarters and
4 divisions.

5 My role here is responsible for the
6 planning, buying and execution of all
7 headquarters media, which is -- primarily
8 focuses on brand and other key campaigns.

9 Additionally though my team also
10 sits as a centralized function whereby we are
11 responsible for building the overall media
12 capabilities and technologies in which we will
13 invest in for the total organization for the
14 planning and buying of media.

15 That also includes the oversight of
16 our in-house programmatic team that trades on
17 behalf of all of XFINITY, Comcast Business and
18 corporate reputation, both headquarters and
19 divisions.

20 Q. When you said "in-house programmatic
21 team," what do you mean?

22 A. We have a team of traders that sit
23 at Comcast as Comcast employees whereby we are
24 in the platforms trading and bidding and
25 managing buys directly in the DSPs versus using

1 ability to deliver an ad in a video environment
2 or on a site or with a partner that is serving
3 video content.

4 Q. And what do you mean when you say
5 "in a video environment"?

6 A. So online video, I look at if you
7 are on the web and you're watching -- if you're
8 on ESPN and you're looking at clips from last
9 night's football game and there was a pre-roll
10 opportunity before you look at the two-minute
11 clip in our ad serves, that would be online
12 video.

13 Q. Is online video all in-stream video?

14 A. Yes, I would say so.

15 Q. Is online audio another channel for
16 Comcast?

17 A. Yes, it is.

18 Q. And can you explain what online
19 audio is.

20 A. Online audio is essentially our
21 ability to buy media across partners like
22 Pandora, Spotify, even podcasting, Sirius, so
23 taking what was traditionally radio and the
24 broadcast format and allowing us to be able to
25 insert our ads digitally for people who might

1 be listening on their desktop or their mobile
2 phone.

3 Q. Does Comcast have KPIs for online
4 audio?

5 A. We do, not -- I would say probably a
6 little bit more branding, though there could
7 potentially be some acquisition.

8 I'm not entirely sure about that
9 though.

10 Q. Are you aware of any specific online
11 audio campaign that used a acquisition metric?

12 A. I'm not.

13 Q. For online video, what KPIs does
14 Comcast use?

15 A. If it's an acquisition message with
16 an offer, it would be a cost per acquisition.

17 If it's more of a branding message,
18 it would probably be just a forced complete --
19 like a completion metric or a reach metric in
20 terms of just general delivery of impressions.

21 Q. What percent of Comcast's online
22 video spend is an acquisition message?

23 A. Probably over 70 percent.

24 Q. Over 70 percent of online video is
25 acquisition?

1 A. (Indicating affirmatively.)

2 Q. And for display advertising, do you
3 have an understanding of the term "open web"?

4 A. Yes.

5 Q. And what is your understanding of
6 that term?

7 A. The open web is just where
8 advertisers go in within the DSP platforms to
9 bid on inventory across all exchanges.

10 Q. And does that differ from walled
11 gardens?

12 MS. DEARBORN: Form.

13 THE WITNESS: Yeah, I'm not sure I
14 understand the question.

15 Q. Is the inventory available on the
16 open web different than the inventory available
17 in walled gardens?

18 A. Yes.

19 Q. And how is it different?

20 A. Inventory and walled gardens like a
21 Meta or social is not available on the open
22 web.

23 Q. I think we discussed earlier the
24 term "marketing funnel."

25 Do you recall that?

1 A. I do.

2 Q. And what does the term "marketing
3 funnel" mean?

4 A. Marketing funnel is a way for us to
5 assess how our advertising or how our media is
6 delivering on all parts of the funnel from
7 awareness down to conversion.

8 Q. And what are the different parts of
9 the funnel?

10 A. The top of the funnel would be more
11 brand and awareness driving, the mid-funnel
12 would be more consideration and the lower
13 funnel would be more conversion.

14 Q. Are there different business
15 objectives associated with different parts of
16 the funnel?

17 A. Yes, there are.

18 But I think as a consumer of media,
19 you experience all parts of the funnel through
20 the media that you -- that you -- that reaches
21 you.

22 But yes, there are different
23 objectives to each part.

24 Q. From Comcast's perspective, each
25 part of the funnel has a different business

1 District of Columbia, to wit:

2 I, Stacey L. Daywalt, a Notary
3 Public of the District of Columbia, do hereby
4 certify that the within-named witness remotely
5 appeared before me at the time and place herein
6 set out, and after having been duly sworn by
7 me, according to law, was examined by Counsel.

8 I further certify that the
9 examination was recorded stenographically by me
10 and this transcript is a true record of the
11 proceedings.

12 I further certify that I am not of
13 counsel to any of the parties, nor an employee
14 of counsel, nor related to any of the parties,
15 nor in any way interested in the outcome of
16 this action.

17 As witness my hand and Notarial Seal
18 this 8th day of September, 2023.

19
20 
21

22 Stacey L. Daywalt, Notary Public

23 My Commission Expires: 4/14/2026
24
25

1 United States, Et Al v. Google, LLC

2 Kristy Kozlowski (#6078882)

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, Kristy Kozlowski, do hereby declare that I
5 have read the foregoing transcript, I have made any
6 corrections, additions, or changes I deemed necessary as
7 noted above to be appended hereto, and that the same is
8 a true, correct and complete transcript of the testimony
9 given by me.

10
11 _____
12 Kristy Kozlowski

_____ Date

13 *If notary is required

14 SUBSCRIBED AND SWORN TO BEFORE ME THIS

15 _____ DAY OF _____, 20____.

16
17
18 _____
19 NOTARY PUBLIC
20
21
22
23
24
25

ERRATA SHEET

Re: *United States et al v. Google, LLC*

Deponent: Kristy Kozlowski

Date: September 6, 2023

Page: line(s)	Transcription	Change To	Reason
9:9	question	request	Transcription error
26:16	Buyer	Buyers	Transcription error
32:24	Sorry	Ms. Dearborn: Sorry	Transcription error
53:3	second bullet, says	second bullet, it says	Omission
63:14	In Comcast's view is	In Comcast's view, is	Omission
65:3-4	I'm going to buy this type of media of this type of media	"I'm going to buy this type of media of this type of media"	Omission
65:18	Comcast is going to buy	Whether Comcast is going to buy	Omission
85:21	Target-ability	Targetability	Transcription error
104:4	Does have a internal	Does have an internal	Transcription error
113:11	Is from 2017 update	Is from a 2017 update	omission
119:12	The YouTubes	YouTube	Transcription error
122:1	View-ability	Viewability	Transcription error
135:3	To slide	To the slide	Omission
138:17	Advertories	Advertorials	Transcription error
184:11	Used a	Used an	Transcription error
199:2	View-ability	Viewability	Transcription error
203:13	document prepared	document was prepared	Omission
213:4	Target-ability	Targetability	Transcription error
213:18	Target-ability	Targetability	Transcription error